

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

People vs. Anthony Rene Phillips

CR No. 117018  
DA No. 07749

NOV 28 1999  
KIMBERLY E. MARTINE  
Clerk of the Superior Court  
P. Culla  
Deputy

PLEA OF GUILTY/NO CONTEST - FELONY

The defendant in the above-entitled action, in support of his/her motion to change his/her plea(s) in open Court, personally and by his/her attorney, does declare as follows:

- Of those charges now filed against me in this case, I plead guilty to the following violations: (List Crimes and Code Sections)  
ct I 664 PC 211 as an LIO of ct I PC 211 Attempted Robbery  Guilty/No Contest
- (If Applicable) I also admit the following enhancement(s)/prior conviction(s) with which I am charged: (List Court, Docket No. and Date of any Prior Conviction)  
N/A
- I have not been induced to enter the above plea by any promise or representation of any kind, except: (Briefly state any agreement with the District Attorney.)  
Pleas to an LIO of 664/211 of ct I PC 211, mid lid of 2 years dis miss rest of complaint

RIGHT TO A LAWYER

3. I understand that I have the right to be represented by a lawyer at all stages of the proceedings. I can hire my own lawyer, or the Court will appoint a lawyer for me if I cannot afford one.

CONSTITUTIONAL RIGHTS

I understand that I also have the following constitutional rights, which I now give up to plead either Guilty/ No Contest:

- The right to be tried by a jury, in a speedy, public trial.
- The right to confront and to cross-examine all the witnesses against me.
- The right to remain silent (unless I choose to testify on my own behalf).
- The right to present evidence and to have witnesses subpoenaed to testify in my behalf at no cost to me.

I understand this right.	I give up this right.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

CONSEQUENCES OF PLEA OF GUILTY OR NO CONTEST

8a. I understand that I may receive this maximum penalty as a result of my plea:  
3 years in State Prison, \$ 10,000 fine and 48 months parole, with up to one year return to prison for every parole violation. If I should receive probation (for up to five years), I understand that I may be given up to a year in local custody, plus the fine, and any other conditions deemed reasonable by the Court. I understand that if I violate any terms or conditions of probation I can be sent to State Prison for the maximum term as stated above.

- 8b. My attorney has explained to me that other possible consequences of this plea may be: (Circle applicable consequences.)
- |  |   |
|--|---|
| (a) Consecutive sentences.             | (f) Ineligibility for probation/presumptive prison.   |
| (b) Loss of driving privileges.        | (g) Registration as a narcotics offender.   |
| (c) Commitment to the Youth Authority. | <input checked="" type="checkbox"/> Restitution and/or a restitution fine. (\$100-\$10,000) |
| (d) Registration as a sex offender.    | <input checked="" type="checkbox"/> Serious felony prior/prison prior.                      |
| (e) Registration as an arsonist.       | <input checked="" type="checkbox"/> Priorable Serious felony prior                          |

9. I understand that if I am not a citizen of the United States a plea of Guilty or No Contest could result in deportation, exclusion from admission to this country, and/or denial of naturalization.

30 guilty  
Guilty/No Contest  
People v. West

to the charge(s) described in #1 above and admit that on the date charged I: (Describe facts as to each charge in #1.)

TP

- 11a. (If Applicable) I understand that as to any and all prior convictions(s)/enhancements(s) alleged against me in this case, I have all the constitutional rights listed in #3-#7 above. As to any prior convictions alleged, I understand that if I request a jury trial on the current case, the jury would not learn of or decide, the prior conviction(s) unless and until the jury found me guilty on the current charges.
- 11b. (If Applicable) I hereby admit the prior conviction(s)/enhancement(s) listed in this form, and give up my constitutional rights, including the right to separate jury determination on the issue of the prior conviction(s).
- 12. I do understand that the matter of probation and sentence is to be determined solely by the Court.
- 13. (Harvey Waiver) The sentencing judge may consider my prior criminal history and the entire factual background of the case, including any unfiled, dismissed or stricken charges or allegations or cases when granting probation, ordering restitution or imposing sentence.
- 14. I am entering my plea freely and voluntarily, without threat or fear to me or anyone closely related to me.
- 15a. I am pleading Guilty because in truth and in fact I AM GUILTY
- 15b. I understand that a plea of No Contest is the same as a plea of Guilty in this criminal case and for all purposes has the same consequences as a plea of Guilty.
- 16. I am now sober. I have not consumed any drug, alcohol or narcotic within the past 24 hours to the extent that my judgment is impaired.
- 17. I declare under penalty of perjury, under the laws of the State of California, that I have read, understood, and initialed each item above, and everything on the form is true and correct.

N/A  
TP  
TP  
TP  
TP  
TP  
TP  
TP

Date: 11/28/90

Defendant's Signature [Signature]

Defendant's Address \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Defendant's Telephone No. ( ) - \_\_\_\_\_

**ATTORNEY'S STATEMENT**

The undersigned states that (s)he is the attorney for defendant in the above-entitled action; that (s)he personally read and explained the contents of the above declaration to the defendant and each item thereof; that no meritorious defense exists to the charge(s) to which defendant is pleading Guilty/No Contest; that (s)he personally observed the defendant fill in and initial each item, or read and initial each item to acknowledge explanation of the contents of each item; that (s)he observed defendant date and sign said declaration; that (s)he concurs in defendant's above plea and in defendant's waiver of constitutional rights.

Dated: 11/28/90

[Signature]  
Attorney for Defendant

**INTERPRETER'S STATEMENT (If Applicable)**

I, the interpreter in this proceeding, having been duly sworn, truly translated this form and all the questions therein to the defendant in the \_\_\_\_\_ language. The defendant indicated that (s)he understood the contents of the form and (s)he then initialed and signed the form.

Dated: \_\_\_\_\_

Court Interpreter

**PROSECUTOR'S STATEMENT**

The People of the State of California, plaintiff in the above-entitled criminal action, by and through its attorney, EDWIN L. MILLER, JR., District Attorney, concurs in the defendant's plea of Guilty/No Contest as set forth above.

Dated: 11/28/90

[Signature]  
Deputy District Attorney

**COURT'S FINDINGS AND ORDER**

The Court, having questioned the defendant concerning the defendant's constitutional rights, finds that defendant has voluntarily and intelligently waived his/her constitutional rights. The Court finds that defendant's plea and admissions are freely and voluntarily made, that defendant understands the nature of the charges and the consequences of the plea, and that there is a factual basis for the plea. The defendant's plea, and the defendant is hereby convicted on his plea.